



Comal County

OFFICE OF COMAL COUNTY ENGINEER

November 8, 2016

Commissioner Donna Eccleston, Precinct 1
Comal County Commissioners Court
100 Main Plaza
New Braunfels, TX 78130

Re: *Vintage Oaks at the Vineyard, Unit 12*, within Comal County, Texas

Dear Commissioner Eccleston:

The project engineer for the referenced subdivision has certified that the roads within the subdivision have been completed in general conformance with the plans and specifications for the project.

The County Engineer's Office has inspected the paving and drainage and recommends the following actions by Commissioners Court during the November 17, 2016 meeting:

- Accept the dedication of roads to the public.
- Accept the public roads into the Comal County Unit Road System.
- Release the associated road construction bond.

Please find copies of the following documents pertaining to this recommendation attached:

- Project engineer's certificate of completion
- Assistant County Engineer's approval
- Construction Bond #SUR60000745
- Plat index and location maps

Also, laboratory testing results and as-built drawings are available at our office for your review.

The surety for this subdivision expires June 2, 2017. If you have any questions, please let us know.

Sincerely,

Thomas H. Hornseth, P.E.
Comal County Engineer



November 3, 2016

Thomas Hornseth, P.E.
Comal County Engineers Office
195 David Jonas Drive
New Braunfels, TX 78132

Re: Vintage Oaks at the Vineyard, Unit 12

Dear Mr. Hornseth,

The roads and drainage improvements in the above referenced unit of the subdivision have been completed in general conformance with the plans and specifications for the project.

I recommend that the Vintage Oaks at the Vineyard Unit 12 construction be accepted by the County. All inspections of such improvements are complete, and M&S recommends that the County accept the improvements.

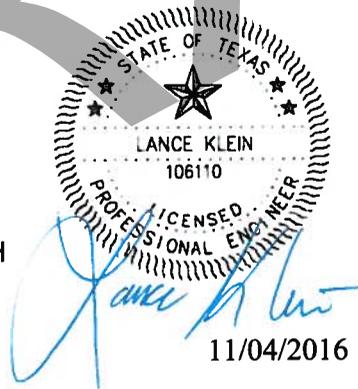
Enclosed please find one copy of the "AS-BUILT" drawings of the construction drawings for this unit. Please notify me when the county has made final acceptance of this construction so that Southstar Communities may make final payment to the contractor.

This completes the construction of the Unit 12 improvements and the developer hereby requests release of the surety provided for this work.

If you have any questions or require additional information, please call me at (830)629-2988.

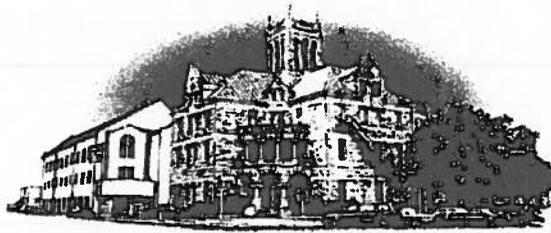
Sincerely,

Lance Klein, P.E., CFM, P.H.
Senior Project Manager



11/04/2016

Cc: Kristina Denham



Comal County
OFFICE OF COMAL COUNTY ENGINEER

November 4, 2016

Betty Lien
Subdivision Coordinator

Re: Vintage Oaks @ The Vineyard Unit 12, -Final Surety Release

Dear Mrs. Lien,

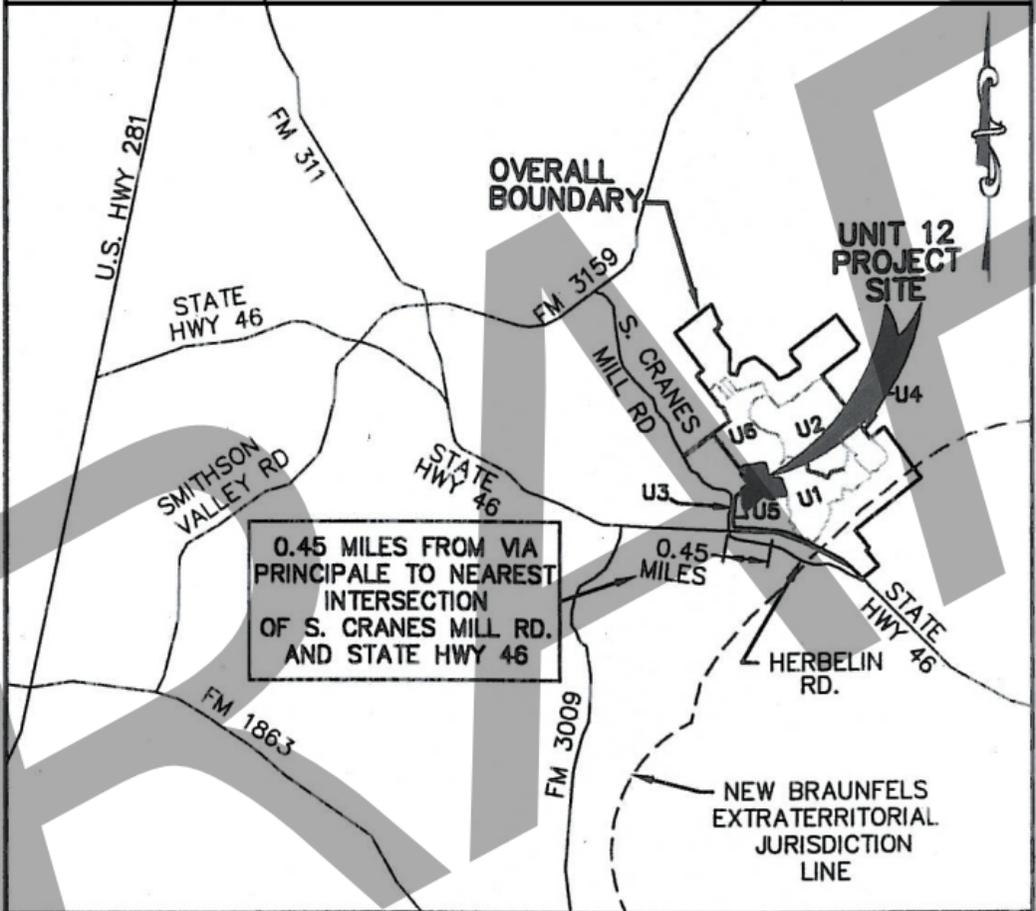
Road and drainage improvements have been completed in the above referenced subdivision. From the material test reports and my field inspections, it appears that the work was done substantially in accordance with our regulations.

We have received a letter from the design engineer certifying completion of this project in accordance with the plans. With this information, I recommend that the County release the surety for this subdivision and move forward with acceptance of the roads for County maintenance.

Sincerely,

David C. Vollbrecht, P.E.
Assistant County Engineer

Cc: Tom Horseth, P.E., Adrienne Winkler



0.45 MILES FROM VIA PRINCIPALE TO NEAREST INTERSECTION OF S. CRANES MILL RD. AND STATE HWY 46

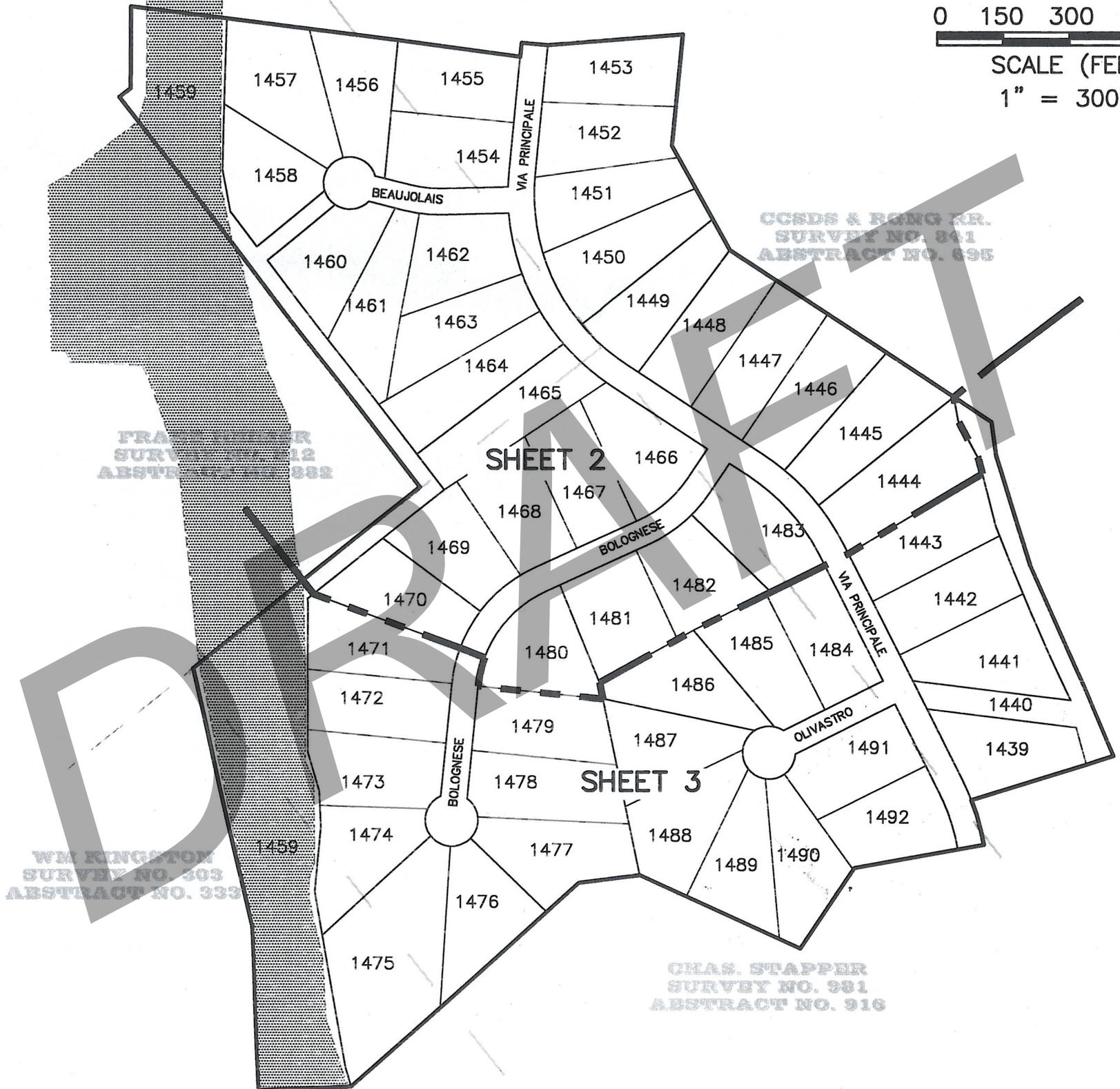
LOCATION MAP

NOT TO SCALE

100 YR. FLOODPLAIN
"ZONE A"

SHEET INDEX MAP

0 150 300
SCALE (FEET)
1" = 300'



CONSTRUCTION BOND

Bond # SUR60000745

DATE OF ISSUANCE: May 18, 2016

DATE OF EXPIRATION: June 2, 2017

STATE OF TEXAS

COUNTY OF COMAL

KNOW ALL MEN BY THESE PRESENTS:

That we, Southstar Communities, LLC, the undersigned subdivider, as Principal, and Ironshore Indemnity Inc. as Surety, do hereby acknowledge ourselves to be held and firmly bound unto Comal County, a County in and for the State of Texas, in the full and just sum of Three Hundred Fifteen Thousand Two Hundred Twenty-Five and 58/100 Dollars (\$315,225.58) for Roadway Construction, for the payment of which well and truly to be made, we hereby bind ourselves and our respective heirs, administrators, executors, and assigns, jointly and severally, firmly by these presents.

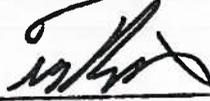
WHEREAS, the Principal has petitioned the Commissioners' Court of Comal County for permission to develop a subdivision within the jurisdiction of Comal County, Texas, more particularly described as follows, to wit: Vintage Oaks at the Vineyard Unit 12.

WHEREAS, under the provisions of the Comal County Subdivision control regulations adopted as of December 5, 1985, as it pertains to road construction, and April 16, 2001, as it pertains to storm water drainage improvements, Comal County requires a condition precedent to the granting of such petition, that the Principal furnish a guarantee that he will construct, or cause to be constructed, according to the requirements of such subdivision control regulations, the following site improvements within one (1) year after approval of the plat of such subdivision: Construction of 4,109 linear feet of County Grade Asphalt Road, in accordance with requirements of Comal County Subdivision Regulations and any other site improvements as required in the Comal County Road Department Standards.

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall not, on or before May 3, 2017 (30 days prior to the expiration date), construct or cause to be constructed, the above mentioned improvements and have construction verified in writing by the County Engineer and communicated to Commissioners Court, then Commissioners Court may exercise its right to demand payment of the amount specified herein. This bond shall be released by Comal County following the completion and acceptance of all construction as specified above.

IN TESTIMONY WHEREOF, WITNESS OUR HAND AND SEAL, this 18th day of May, of 2016.

Southstar Communities LLC



Thad Rutherford, Senior Vice President

Ironshore Indemnity Inc.



Sandra L. Fusinetti, Attorney-in-Fact

APPROVED AND ACCEPTED this the 2nd day of June, 2016.

COMAL COUNTY, TEXAS

By:

Title:


Acting County Judge

DRAFT

POWER OF ATTORNEY

III-60000745

Ironshore Indemnity Inc.

KNOW ALL MEN BY THESE PRESENTS, that IRONSHORE INDEMNITY INC., a Minnesota Corporation, with its principal office in New York, NY does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Sandra L. Fusinetti, Deborah Neichter, Jill Kemp, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Amy Meredith, Lynnette Long, Barbara Duncan, Mark A. Guidry, Michele Lacrosse, Jessica Nowlin and Summer A. Betting its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of IRONSHORE INDEMNITY INC. on the 22nd day of April, 2013 as follows:

Resolved, that the Director of the Company is hereby authorized to appoint and empower any representative of the company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,500,000 dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the Director and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, IRONSHORE INDEMNITY INC. has caused this instrument to be signed by its Director, and its Corporate Seal to be affixed this 2nd day of July, 2013.

IRONSHORE INDEMNITY INC.



By [Signature]
Daniel L. Sussman
Director

RECEIVED
MAY 25 2016
COUNTY ENGINEER

ACKNOWLEDGEMENT

On this 2nd day of July, 2013, before me, personally came Daniel L. Sussman to me known, who being duly sworn, did depose and say that he is the Director of Ironshore Indemnity Inc., the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

AMY TAYLOR
Notary Public - State of Tennessee
Davidson County
My Commission Expires 07-08-19



BY [Signature]
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Secretary of IRONSHORE INDEMNITY INC., a Minnesota Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at this 18th Day of May, 2016.



[Signature]
Paul S. Giordano
Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."